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Court rules man cannot be listed as child's mother

Lawyer: 'My client is devastated'



By [WND Staff](#)

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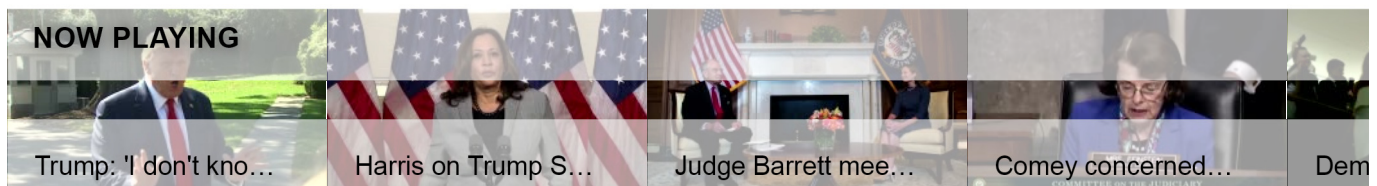
A national court in France has ruled that a man who fathered a child with his wife six years ago cannot now be listed as the child's mother.

[The French news agency RFI reported](#) transgender activists are outraged over the decision.

In the highest court in France, the Court of Cassation in Paris, the judges concluded that "Claire," the biological father to three children with his wife, isn't a "mother."

Claire would be a mother only by adopting the child he fathered.

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Clelia Richard, a lawyer for Claire, told the news agency the decision is "scandalous."

"My client is devastated," Richards said in a report in the Liberation newspaper.

RFI reported Claire had children in 2000 and 2004 with his wife. Then in 2011, Claire was registered as a female.

"Three years later, while she still had male reproductive organs, the couple had a third child, a girl," the report said.

But the court concluded the legal effort by Claire to be called the child's mother has failed.

The court ruling said "two maternal filiations cannot be established with regard to the same child, outside of adoption."

Leaders of gay rights groups said the ruling is a setback for their movement.

"The ruling is a considerable step backwards towards a concept of parenthood that was believed to be long buried," said lawyer Bertrand P erier, who is representing an association of gay and lesbian parents.

But another lawyer, Anne-Marie Le Pourhiet, explained that to decide any other way would be to "to transform that child's personal history into fiction, in the name of adult desire."

[The U.K.'s Christian Institute cited](#) a case in England earlier this year in which a court ruled a woman who lives as a man cannot be recorded as the father of her child's birth certificate.

Those who give birth are mothers, the court ruling said.

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